

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROBERT KELLEY, *et al.*,) No. C05-0115L
Plaintiffs,)
v.) ORDER DENYING MOTION FOR
JAMES KAHAN, *et al.*,) RECUSAL
Defendants.)

This matter comes before the Court on plaintiff's "Motion to Disqualify Judge Lasnik" under 28 U.S.C.A. § 455. Dkt. # 17. Having reviewed plaintiff's motion, the Court is aware of no bias or prejudice that would justify recusal. The mere fact that the undersigned served with two of the named defendants on the King County Superior Court bench would not cause a reasonable person to believe that he is unable to be impartial. Yagman v. Republic Insurance, 987 F.2d 622, 626 (9th Cir. 1993). There being no appearance of bias (see Preston v. United States, 923 F.2d 731, 734 (9th Cir. 1992)), the motion for recusal is DENIED.

Pursuant to Local General Rule 8(c):

Whenever a motion to recuse due to alleged bias or prejudice directed at a judge of this court is filed pursuant to 28 U.S.C. 144, the clerk shall refer it to the chief judge. If the motion is directed at the chief judge, the clerk shall refer it to the next senior active judge. . . .

Because the undersigned is the Chief Judge of this district, this matter is hereby referred to the Honorable John C. Coughenour, United States District Judge, for review.

ORDER DENYING MOTION FOR RECUSAL

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2 DATED this 28th day of July, 2005.
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